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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,498	12/05/2003	Jacob Mathews	14846-29	2319
<div>7590 09/21/2007 GEORGE D. MORGAN, ESQ LOWENSTEINS SANDLER PC 65 LIVINGSTON AVENUE ROSELAND, NJ 07068</div>			<div>EXAMINER BASIT, ABDUL</div>	
			<div>ART UNIT 3694</div>	<div>PAPER NUMBER</div>
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/730,498	Applicant(s) MATHEWS ET AL.	
	Examiner Abdul Basit	Art Unit 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a final action in response to Applicant's amendment received on July 3, 2007.

RESPONSE TO ARGUMENTS

1. Applicant's arguments filed on July 5, 2007 have been fully considered.
2. Claims 1, 11 and 17 have been amended have resulted in a new search and make Applicant's arguments moot and nonresponsive.
3. Claims 1-17 remain rejected as presented below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 11 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Boyle (US Pat. No. 6,073,116).

Regarding claim 1:

Boyle teaches a system for offering a financial instrument across different types of trading platforms, comprising:

- a plurality of trading platforms, at least two of the trading platforms using different protocols for exchanging trading information; (*see figure 1, column 2 generally*)
- an interface for linking the trading platforms to allow an offering posted in one of the trading platforms to be simultaneously offered in each of the trading platforms and a

particular quantity of the offering to be purchased in any of the trading platforms.

(see figure 1, column 2 generally)

- wherein each of the at least two of the trading platforms receives the posted offering using its respective trading protocol. *(see figure 1, column 2 generally)*

Regarding claim 11:

Boyle teaches offering a financial instrument across different types of trading platforms, at least two of the trading platforms using different protocols for exchanging trading information, comprising the steps of:

posting an offering in one of the trading platforms; and displaying the posted offering simultaneously in each of the other trading platforms, so as to allow a particular quantity of the offering to be purchased in any of the trading platforms, wherein each of the at least two of the trading platforms receives the posted offering using its respective trading protocol. *(see figure 1, column 2 generally)*

Regarding claim 17:

Boyle teaches a program storage device readable by a machine, tangibly embodying a program of instructions executable on the machine to perform method steps for offering a financial instrument across different types of trading platforms, at least two of the trading platforms using different protocols for exchanging trading information, the method steps comprising of posting an offering in one of the trading platforms; and displaying the posted offering simultaneously in each of the other trading platforms, so as to allow a particular quantity of the offering to be purchased in any of the trading

platforms, wherein each of the at least two of the trading platforms receives the posted offering using its respective trading protocol. (see figure 1, column 2 generally)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-10, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle in view of Lewis (US Pub. No. 2002/0065752).

Regarding claim 2:

Lewis, not Boyle, teaches acknowledgment message when a trading request is received. (see ¶ 80). Lewis teaches a message containing data pertaining to a financial transaction.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an acknowledgement message enhances efficiency of a trading system.

Regarding claim 3:

Lewis, not Boyle, teaches that the acknowledgment message is generated after receipt of a trading request to purchase a specified quantity of a specified financial instrument at a specified price. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an acknowledgement

message enhances efficiency of a trading system.

Regarding claim 4:

Lewis, not Boyle, teaches a trade is canceled if the acknowledgment message is not received within a predetermined time period. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an acknowledgement message enhances efficiency of a trading system.

Regarding claim 5:

Lewis, not Boyle, teaches a first trading platform includes a risk management component and a second trading platform includes a trading portal. (see ¶ 114).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because having a risk management component provides for a more efficient trading system.

Regarding claim 6:

Lewis, not Boyle, teaches further including a reporting component for reporting transaction information associated with trading activity. (see ¶ 120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because reporting information creates a more efficient trading system.

Regarding claim 7:

Lewis, not Boyle, teaches that the interface includes an adapter for each of the

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trading platforms, each of the adapters allowing the interface to translate messages to and from one of the trading platforms. (see ¶ 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an adaptor allows for more efficient trading between a plurality of platforms.

Regarding claim 8:

Lewis, not Boyle, teaches that the interface ensures that offering information is uniform in each of the trading platforms. (see ¶ 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because creating uniformity creates a more efficient trading system.

Regarding claim 9:

Lewis, not Boyle, teaches a change of pricing information in one of the trading platforms causes a corresponding pricing information change in other of the trading platforms. (see ¶ 19-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because a uniformity of prices on different trading platforms creates a more efficient trading system.

Regarding claim 10:

Lewis, not Boyle, teaches a change of quantity information in one of the trading platforms causes a corresponding quantity information change in other of the trading platforms. (see ¶ 19-20).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because this will create a more efficient trading system.

Regarding claim 12:

Lewis, not Boyle, teaches, including the step of generating an acknowledgment message when a trading request is received. (see ¶ 180).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because

Regarding claim 13:

Lewis, not Boyle, teaches that the acknowledgment message is generated after receipt of a trading request to purchase a specified quantity of a specified financial instrument at a specified price. (see ¶ 180).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an acknowledgement message creates a more efficient trading system.

Regarding claim 14:

Lewis, not Boyle, teaches a trade is canceled if the acknowledgment message is not received within a predetermined time period. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because an acknowledgement message creates a more efficient trading system.

Regarding claim 15:

Lewis, not Boyle, teaches a first trading platform includes a risk management component and a second trading platform includes a trading portal. (see ¶ 114).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because a risk management component enhances efficiency of the trading system.

Regarding claim 16:

Lewis, not Boyle, teaches the step of reporting transaction information associated with trading activity. (see ¶ 120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Boyle with Lewis. Motivation to modify exists, because a reporting transaction enhances efficiency of the trading system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

aqb

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